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13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION
17

18 FACEBOOK, INC.,

19 Plaintiff,

20 v.

21 POWER VENTURES, INC. a Cayman Island
corporation, STEVE VACHANI, an individual;
22 DOE 1, s/b/a POWER.COM, DOES 2-25,
inclusive,

23 Defendants.
24

Case No. 5:08-cv-05780-LHK(JCS)

**DECLARATION OF MORVARID
METANAT IN SUPPORT OF
FACEBOOK INC.'S MOTION FOR
ADMINISTRATIVE RELIEF
PURSUANT TO CIVIL LOCAL RULE
79-5(B) & (C)**

Dept: Courtroom G, 15th Floor
Judge: Hon. Judge Joseph C. Spero

1 I, Morvarid Metanat, declare:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP and
3 counsel for Plaintiff Facebook, Inc. ("Facebook"). I make this declaration in support of
4 Facebook's Administrative Motion, pursuant to Civil local Rule 79-5(b), to file under seal: 1)
5 portions of Facebook's Letter Brief for Fees and Costs ("Letter Brief"); 2) portions of the May
6 31, 2013 Declaration of Morvarid Metanat in Support of Facebook's Letter Brief for Fees and
7 Costs ("Metanat Declaration in Support of Letter Brief"); and 3) portions of Exhibits B & C, and
8 the entirety of Exhibits D & E, attached thereto. I make this Declaration based on facts made
9 known to me, unless otherwise stated.

10 2. Facebook seeks to seal portions Exhibits B & C and the entirety of Exhibits D & E
11 because these documents include Facebook's and Orrick's confidential and proprietary business
12 information, including specific details related to Orrick's legal fees and vendor pricing and
13 payments. Both Facebook and Orrick have a business desire to maintain the confidentiality of the
14 legal fees and costs incurred in taking the renewed deposition of Power, as such business
15 information is commercially sensitive and not generally disclosed to the public. For instance,
16 Exhibits B and C consist of vendor invoices. Orrick procures services from many vendors,
17 including vendors who compete against one another. If Orrick's payment information were made
18 public, vendors would have information about the terms of their competitors' relationships with
19 Orrick and Orrick could be disadvantaged in negotiations. Exhibits D & E consist of Orrick's
20 invoices to Facebook which include Orrick's billing entries and rates. This information is
21 propriety information that Orrick treats as confidential and does not publicly disclose. The public
22 disclosure of this information may cause Orrick competitive harm.

23 3. Facebook has sealed the portions of Exhibits D & E which include time entries and
24 billing information unrelated to the attorneys' preparation for Power's renewed deposition. This
25 information is subject to the attorney client privilege and work product doctrine. Should the
26 Court require fully un-redacted versions of Orrick's invoices, Orrick will submit these documents
27 *in camera*.

28 4. Facebook also seeks to seal the portions of the Letter Brief and the Metanat

Declaration in Support of the Letter Brief because both documents quote from or reference the confidential and proprietary business information included in Exhibits B-E as discussed above.

For these reasons, Facebook respectfully requests that portions of the Letter Brief, portions of the Metanat Declaration in Support of the Letter Brief, and portions of Exhibits B & C and the entirety of Exhibits D & E, be sealed from the public record.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: May 30, 2013

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Morvarid Metanat
MORVARID METANAT
Attorneys for Plaintiff
FACEBOOK, INC.

CERTIFICATE OF SERVICE

I hereby certify that the document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants as follows:

By transmitting via electronic mail to the email addresses set forth below before 5:30 p.m. on May 30, 2013.

Steven Vachani (*Pro Per*)
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Tel: (917) 267-8823

Dated: May 30, 2013

/s/ Morvarid Metanat
Morvarid Metanat